

## **THE HONORABLE BENJAMIN H. SETTLE**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CHERYL ROBBINS BERG, as Litigation  
Guardian ad Litem for C.K.M.,

Plaintiff,

NO. 3:18-CV-05345-BHS

VS.

## JURY VERDICT FORM

## BETHEL SCHOOL DISTRICT,

**Defendant.**

We, the Jury, answer the questions submitted by the Court as follows:

**Question 1.** Did Defendant violate Plaintiff's constitutional rights to equal protection under the Fourteenth Amendment by failing to enforce the District's sexual harassment policy due to her physical or mental disability?

## Answer:

Yes

No

*Go to Question No. 2.*

**Question 2.** Did Defendant violate Plaintiff's constitutional rights to her own bodily integrity under the Fourteenth Amendment by failing to report David's ongoing sexual abuse

1 and harassment under Washington State's mandatory reporter law and the District's  
2 Mandatory Reporter policy?

3  
4 Answer:  Yes  No

5 Go to Question No. 3.

6 **Question 3.** Did Defendant violate Title IX by failing to stop the known harassment of  
7 Plaintiff by David?

8  
9 Answer:  Yes  No

10 Go to Question No. 4.

11 **Question 4.** Did Defendant violate Washington's Law Against Discrimination by treating  
12 special education student Plaintiff differently because of her physical or mental disability than  
the district treated typically functioning students?

13  
14 Answer:  Yes  No

15 Go to Question No. 5.

16 **Question 5.** Was Defendant negligent in failing to protect Plaintiff from David?

17  
18 Answer:  Yes  No

If you answer "no" to Questions 1 through 5, electronically sign and return this verdict form.  
If you answer "yes" to either Question 1, Question 2, Question 3, Question 4, or Question 5,  
then answer Question 6.

19  
20 **Question 6.** If Plaintiff suffered damages for pain and suffering due to Defendant's  
21 violation of any or all of the following, her due process rights, equal protection rights, Title IX  
22 rights, WLAD rights, or due to the defendant's negligence, what is the total amount of  
damages that should be awarded to Plaintiff as compensatory damages for pain and suffering?

23  
24 Answer: \$ 500,000.00

25 Go to Question 7.

26

1  
2     **Question 7.** Is Plaintiff likely to incur future reasonable medical and counseling expenses  
3     as a proximate cause of any or all of the following: Defendant's violation of her due process  
4     rights, equal protection rights, Title IX rights, WLAD rights, or due to negligence?  
5

6     Answer: \_\_\_\_\_ Yes     ~~X~~ No  
7

8     *If you answer "no" to Question No. 7, electronically sign and return this verdict form. If you  
9     answer "yes" to Question No. 7, then answer Question No. 8.*

10     **Question 8.** If Plaintiff is likely to incur future reasonable medical and counseling  
11     expenses, what is the amount that should be awarded for her future medical and counseling  
12     expenses?  
13

14     Answer: \$ \_\_\_\_\_  
15

16     Date and sign the form and advise the Court that you have reached a verdict.  
17

18     DATED this 20 day of October, 2021.  
19

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